

REMARKS

Applicants wish to thank the Examiner for indicating that claim 38 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-7, 13-20 and 30-36 are pending in the instant application. By the foregoing Amendment, claims 1, 14, and 32 have been amended and claims 37-38 have been canceled. These changes are believed to introduce no new matter and their entry is respectfully requested.

Rejection of Claims 1-7 and 13 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 1-7 and 13 under 35 U.S.C. §103(a) as being obvious over U.S. Patent Publication No. US 2006/0031668 to Miyamoto et al. (hereinafter “*Miyamoto*”) in view of U.S. Patent Publication No. US 2004/0049600 to Boyd et al. (hereinafter “*Boyd*”). Applicant respectfully traverses the rejection.

To establish a *prima facie* case of obviousness, an Examiner must show that that there is some suggestion or motivation to modify a reference to arrive at the claimed invention, that there is some expectation of success, and that the cited reference teaches each and every element of the claimed invention. (MPEP §2143.) *citing In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)). The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. “To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.” *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

In the Office Action, the Examiner indicated that claim 38 would be allowable if rewritten in independent form including all of the limitations of the base claim and any

intervening claims. Although Applicants believe claim 1 is patentable as written, in the interest of expediting prosecution Applicants have amended claim 1 to include the subject matter of claims 37-38. Accordingly, Applicants respectfully submit that claim 1 is in condition for allowance.

Claims 2-7 and 13 properly depend from claim 1. Accordingly, Applicant respectfully submits that claims 2-7 and 13 are in condition for allowance for at least the same reasons that claim 1 is in condition for allowance. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 1-7 and 13.

Rejection of Claims 14-20 and 30-36 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 14-20 and 30-36 under 35 U.S.C. §103(a) as being obvious over *Miyamoto* in view of *Boyd* in further view of U.S. Patent No. 6,988,193 to French et al. (hereinafter “*French*”). Applicant respectfully traverses the rejection.

In the Office Action, the Examiner indicated that claim 38 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Although Applicants believe claims 14 and 32 are patentable as written, in the interest of expediting prosecution Applicants have amended claims 14 and 32 to include the subject matter of claims 37-38. Accordingly, Applicants respectfully submit that claims 14 and 32 are in condition for allowance.

Claims 15-20 and 30-31 properly depend from claim 14. Accordingly, Applicant respectfully submits that claims 15-20 and 30-31 are in condition for allowance for at least the same reasons that claim 14 is in condition for allowance. Claims 33-36 properly depend from claim 32. Accordingly, Applicant respectfully submits that claims 33-36 are in condition for allowance for at least the same reasons that claim 32 is in condition for allowance. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596

(Fed. Cir. 1988)). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 14-20 and 30-36

CONCLUSION

Applicant submits that all grounds for rejection have been properly traversed, accommodated, or rendered moot and that the application is now in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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/Jan Little-Washington/

Jan Little-Washington
Reg. No.: 41,181

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.



Suzanne Johnston

5/8/07

Date